

MINUTES
COLUMBIA CITY BOARD OF ZONING APPEALS
REGULAR MEETING
MAY 6, 2025
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Cathy Gardner
Jon Kissinger, Chair
Anthony Romano, Vice Chair
Dennis Warnick

MEMBERS ABSENT

Patricia Hatcher

STAFF

Nathan Bilger
Amanda Thompson

ATTORNEY

Greg Hockemeyer

(E)lectronic participant

AUDIENCE MEMBERS

Seven visitors signed the Guest List at the meeting. There were no attendees on the webcast. A Guest List is included with the minutes of this meeting.

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Mr. Kissinger called the meeting to order at 7:00 P.M. Ms. Thompson read the roll with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

Previous meeting minutes were not yet prepared, so this item was deferred.

ADMINISTRATION OF OATH

Mr. Hockemeyer administered the Oath to visitors who planned to speak at the meeting.

OLD BUSINESS

1. 25-C-VAR-2

K&HC Properties, LLC, owner of the subject property, requested development standards variances to permit construction of a new two-family dwelling at 374/376 North Oak Street. Additionally, a variance was requested to permit a gravel driveway. The property was located on the east side of Oak Street, about 100' south of North Street. The property was currently unimproved and zoned GB, General Business.

Mr. Bilger reminded the Board of the staff report as it had been discussed in April. He stated that the request was to permit 4' side setbacks, while the GB zoning district required 10' setbacks, while R-3 required 7' setbacks. The gravel driveway request was to permit gravel driveway onto the alley to the east. He then displayed aerials, photos, and site plan, which were all unchanged from the previous meeting. He noted that the proposed orientation of the house north-south was chosen to look better than a code-compliant east-west orientation. He

said that there were no changes in staff's comments about the variance criteria. He concluded that the item had been continued since Mr. Romano had been absent.

Ms. Gardner pointed out that the gravel driveway request was denied at the April meeting. Mr. Bilger thanked her for the reminder and clarified that only the side setback variance was being considered at this meeting.

Having no more questions for staff, Mr. Kissinger asked the petitioner to speak with any more details.

Heather and Keith Coffelt, petitioners, explained that they proposed to center the house between the two existing houses. Ms. Coffelt said that they had already discussed the fire code requirements for being less than 4' from the property line. She said that they had considered turning the house, which would have a worse appearance, but would comply with the code if necessary. Mr. Bilger presented quick sketch of the house being turned 90° on the site plan.

Mr. Warnick asked if it would matter if the house was turned 180° to face the alley. It was clarified that it was the side setback in question, so such an orientation would still require a variance.

Mr. Romano asked what the separation was between the existing and proposed houses. Mr. Bilger replied that the separation to the south would be 14', while it would be more to the north house. He reminded the Board that a 14' separation would be equivalent to the R-3 district standard of 7' side setbacks. Ms. Coffelt said that a rezoning had been considered, but it was not feasible.

Mr. Kissinger asked if the house was manufactured or stick built. Mr. Coffelt replied that it was stick built.

Ms. Gardner asked if they had discussed the building/fire code requirements with the Chief Building Inspector; they replied they had.

Ms. Gardner also asked if they could combine the three lots as one since it was in common ownership, which would remove the lot line. Ms. Coffelt said that they did not want to do that since they wanted to keep the option to sell the buildings individually in the future, and possibly even each dwelling unit individually. Mr. Bilger explained how the subdivision code would apply and the lots could be split along the common walls.

Ms. Gardner said that she struggled with the 4' setback. Mr. Coffelt said that the original plan was to line up all the houses north-south. There was discussion about what that meant. Mr. Bilger clarified that the orientation was originally east-west, which would avoid variances by being centered on each lot. The current north-south orientation was done for appearance.

The Board and Coffelts discussed various details of the existing and proposed house, with several conversations occurring at once.

Mr. Kissinger brought the meeting back to order and asked if there were further questions of the petitioner. Having no more, he opened the public hearing.

Having no one speak, Mr. Kissinger closed the public hearing and asked for Board discussion or a motion.

Mr. Warnick made a motion to approve the proposed side setbacks of 25-C-VAR-2. Ms. Gardner seconded the motion. She commented that she appreciated the better orientation of the house and that they had discussed building/fire code requirements but recommended that the petitioner discuss their plans in detail with staff well before starting any new development. Mr. Kissinger called for a vote. Motion passed, 4-0.

NEW BUSINESS

2. 25-C-VAR-4

Gerald & Mary Lauer, owners, requested a development standards variance to permit construction of an attached garage addition on their property at 1092 West Fawn Court. The property was comprised of Lot 87 of Deer Chase, Phase II, Section 6 (recorded in 2007) and zoned R-1, Single-family residential.

Mr. Bilger summarized the staff report. He said that the petitioner proposed a 46'x31' garage addition, with resulting setbacks of 26.6' and 29.3'. He said that the R-1 zoning district required a 35' setback, but Deer Chase had been platted with a 30' building line. Due to policy and precedent, the 30' building line was considered the controlling setback, so a 3.4' variance was necessary. He reminded the Board that variances of platted building lines also triggered notification of all property owners in the plat. He then displayed aerial photos and the plat plan, pointing out the unique shape of Fawn Court wrapping around the lot and the proposed building footprint.

Mr. Bilger continued with comments on the variance criteria, stating that staff did not feel it would be injurious to public health and safety because there would still be at least a 26' setback. He said that value and use would not be substantially affected, but he noted the possible changes in appearance because of the large addition. He felt that there may not be practical difficulties if considering the property only as a corner lot, especially since there were no existing encroachments for other corner lots in Deer Chase, but the unique shape of this lot with effectively three frontages might be considered a difficulty. He concluded by stating there was one comment letter received, which had been distributed to the Board.

Having no questions for staff, Mr. Kissinger asked the petitioner to speak.

Ryan Peppler, Walker & Associates, surveyor for the petitioner, spoke regarding the placement of the proposed addition on the lot. He said that the proposal was the product of numerous drafts, with the proposed making the best use of the existing driveway.

Mr. Warnick asked if the garage would be two bays. Mary Lauer, petitioner, replied that there would be two garage doors. Ms. Gardner asked if the garage doors would face north. Mr. Peppler replied that there would be a single-wide door on the 14' face and a double-wide door on the 21' face. Mr. Romano commented that would make a total of six bays.

Ms. Gardner asked what the reason was for the proposed addition. Ms. Lauer replied that her husband's fishing boat on the trailer was 26 feet long. Deer Chase did not allow boats parked outside, so this addition would allow it to be parked inside.

Having no more questions for the petitioner, Mr. Kissinger asked for any public comment.

Larry Gilbert, 1066 W. Fawn Court, said that he lived immediately to the east of the petitioner. He said that the petitioner would make the addition façade match the existing house so it would fit in. He had no problem with the proposal.

Sharon Gilbert, 1066 W. Fawn Court, said that the addition was a quality of life issue. She said that Mr. Lauer had Parkinsons, and that this boat, and this addition to store it, gave him purpose in his life.

Joyce Hawkins, 1323 W. Glenwood Drive, said she represented the Deer Chase homeowners' association board. She said that she had enjoyed working with the Lauers and that they would meet all of the requirements. She said that the association would approve the addition if the Board granted the variance.

Having no other comments from the audience, Mr. Kissinger closed the public hearing and asked for discussion or a motion.

Mr. Warnick made a motion to approve 25-C-VAR-4 as presented; Mr. Romano seconded. Motion passed, 3-1, with Ms. Gardner voting against.

3. 25-C-VAR-5

Connie Forrester, owner of the subject property, requested a development standards variance to permit a covered porch in the front setback on their property at 614 W. Columbia Parkway. The property was comprised of Lot 5 of Columbia Shores Section 1 (recorded 1971) and was zoned R-1, Single-Family Residential.

Mr. Bilger summarized the staff report. Proposed was a 6'x35' covered porch across the façade of the existing house, which would have a 24.5' setback. He said that this subdivision was zoned R-1 but platted with a 30' building line, so the requested variance was 5.5' from the building line or 10.5' from the zoning standard. He showed aerial photos and the proposed site plan for reference. He mentioned that there had been at least one recent variance for a similar porch about a block away. He reviewed the variance criteria, stating that there were no concerns about public health and safety or the use and value of the area. He stated that there were not obvious practical difficulties for the property, as the lot was indistinguishable from others in the neighborhood. He continued with a description of the purpose of front setbacks at least partially being to ensure parking in front of a house, and this porch would not change the parking available.

Having no questions for staff, Mr. Kissinger asked the petitioner to speak.

Connie Forrester, petitioner, said that the reason for the proposed porch was to cover the front door as part of upgrading the entrance and front walk to be wheelchair accessible to ensure accessibility in the future. The porch would upgrade the otherwise plain Cape Cod style home.

Mr. Warnick asked if the porch would be open; Ms. Forrester said it would be and referred to the submitted rendering.

Ms. Gardner asked if the roofline of the house would be changed. Ms. Forrester said the rooflines would flow together.

Ms. Gardner again mentioned her concerns about encroaching past the building line, but she felt being an open porch, it would be more acceptable. Ms. Forrester gave more details about the planned building renovations. Mr. Kissinger asked staff to show the Google streetview for reference; Mr. Bilger displayed the streetview.

Having no further questions for the petitioner, Mr. Kissinger opened the public hearing.

Hearing no public comment, Mr. Kissinger closed the public hearing and asked for further discussion or a motion.

Ms. Gardner made a motion to approve 25-C-VAR-5 with the condition that the porch may not be enclosed in the future. Mr. Romano seconded. Motion passed, 4-0.

OTHER BUSINESS

There was no other business.

REPORTS FROM STAFF AND MEMBERS

Mr. Bilger stated that the night before, the Plan Commission had forwarded a favorable recommendation for an amendment to the fence standards. He said that the proposed change would allow any type of fence in a front yard up to 4 feet in height. Previously, the code had only permitted chain link fences in front yards up to 4', while other types of front yard fences were limited to 3'. The Board discussed some of the details. Mr. Bilger said he expected the Council to adopt the amendment at their upcoming meetings.

Mr. Warnick mentioned that the Comprehensive Plan update was underway. Stakeholder meetings had been held the week before.

ADJOURNMENT

Mr. Warnick made a motion to adjourn; seconded by Mr. Romano. The motion passed 4-0, and the meeting was adjourned at 7:59 P.M.

GUEST LIST

1. Connie Forrester614 W. Columbia Parkway
2. Mary A. Lauer.....1092 W. Fawn Court
3. Ryan Peppler.....112 W. Van Buren Street
4. Keith Coffelt1890 E. 250 North
5. Heather Coffelt.....1890 E. 250 North
6. Shay Gilbert1066 W. Fawn Court
7. Larry Gilbert1066 W. Fawn Court
8. Joyce Hawkins [did not sign in].....1323 W. Glenwood Drive

GUEST LIST (WEBCAST)

9. No attendees on the webcast